

July 27, 2021

2021-2022 Legislative Session

Legislative News is a publication prepared and distributed by the South Carolina Department of Mental Health (SCDMH) Office of Public Affairs to keep you informed of bills introduced in the General Assembly that may affect the Agency, mental health, healthcare issues, or state employee issues. In addition, we will provide budget information and pertinent general news from the General Assembly. You can also access the complete text of each bill listed by clicking the link at the end of each description, or visiting www.scstatehouse.gov and searching them by bill number.

This publication is also available on the SCDMH Internet and Intranet sites. If, at any time, you have questions or need more information about bills or other legislative issues, contact the Office of Public Affairs at (803) 898-8582 or tracy.lapointe@scdmh.org.

This is the final edition of Legislative News for 2021. Bills that did NOT cross chambers before April 12, 2021, will become “active” again at the beginning of the 2022 session and will appear in the January 2022 edition of Legislative News.

Senate Bills – click on the bill number for full text.

***S 2 Behavioral and Public Health – Peeler, Malloy, McElveen, Hembree, Senn (Similar [H 3766](#))**

This bill would rename the Department of Health and Environmental Control the "Department of Behavioral and Public Health", make it a Cabinet agency, and transfer environmental responsibilities to the SC Departments of Agriculture and Natural Resources. The bill would abolish the SCDMH and SC Mental Health Commission, as well as the Department of Alcohol and Other Drug Abuse Services, and instead establish a Division of Mental Health and a Division of Alcohol and Other Drug Abuse Services within the Department of Behavioral and Public Health.

*Introduced, read first time, and referred to Medical Affairs Committee, 1/12/21. The Senate Medical Affairs Subcommittee has met three times on this bill. During the 4/28/21 hearing, Dr. Rogers provided testimony on behalf of DMH. At the third hearing on 5/5/21, the committee elected **not** to vote on the bill, citing the need for additional time before voting.*

SHaPe SC Taskforce

DHEC has put together a task force, Strengthen the Health and Promote the Environment of South Carolina (SHaPE SC), related to this bill, with the purpose of gathering feedback and input from a wide range of customers and stakeholders. The task force has two charges: (1) to evaluate the state of South Carolina's current organizational framework and responsibilities related to the provision of health and environmental protection services, and (2) to make recommendations to the DHEC Board, General Assembly, and Governor about how to best maximize state resources to improve the quality of life for all South Carolinians by protecting and promoting the health of the public and the environment.

SCDMH has provided extensive material to DHEC regarding its mission, history, services, and more as part of this effort, and recommended the addition of several stakeholders to the Taskforce to address these steps, which held its first meeting Thursday, June 3. The SHaPE SC Taskforce subsequently divided into three Subcommittees: Public Health, Environment, and Behavioral Health. Each Subcommittee is to produce findings and any recommendations for inclusion in the overall Task Force Report about the State's current organizational framework and services, as well as any recommendations about ways to improve the State's behavioral health services, whether or not those recommendations relate to how SCDMH and DAODAS are structured.

***S 659 Sexually Violent Predator Program – Shealy (Similar [H 4086](#))**

This bill would make several procedural and substantive changes to the "Sexually Violent Predator Act", including, among other things, defining who are qualified evaluators; changing timeframes for completing evaluations, and modifying procedural rules for requesting and participating in periodic evaluations and annual review hearings.

Introduced, read first time, and referred to Medical Affairs Committee, 3/11/21.

House Bills – click on the bill number for full text.

H 3773 Restoration Treatment – West, G.M. Smith, Weeks, White (Similar S 79)

This bill would extend the length of time certain individuals unfit to stand trial may be hospitalized from 60 to 180 days. It would also allow the SCDMH to provide restoration treatment in detention centers and on an outpatient basis, where appropriate.

Read third time and sent to the Senate 4/21/21; Senate introduced, read first time, and referred to Medical Affairs Committee 4/21/21.

American Rescue Plan Act (ARPA) Funds Update

In mid-May, the Substance Abuse and Mental Health Services Administration (SAMHSA) announced it would be providing additional funds to states in addressing the effects of the COVID 19 pandemic on mental illness and substance use disorders and would do so via states' Block Grants. SAMHSA has allotted \$21,480,779 to SCDMH.

As part of this process, SCDMH must submit a proposal by August 2 to SAMHSA indicating how the funds would be used.

Prior to finalizing its proposed uses for the additional funds, and while not required, SCDMH held a virtual Stakeholder Forum to receive input on its draft proposal, as well as any suggested alternate uses. Additionally, SCDMH solicited feedback from the State Planning Council. The majority of respondents supported the Department's proposed uses of the funding.

Student ID Card Suicide Prevention Act Signing

The Student ID Card Suicide Prevention Act was ratified in May of this year; Governor McMaster held a ceremonial signing for the bill in the Statehouse rotunda July 22, 2021. The law requires public schools and public and private institutions of higher learning to add the telephone number for the National Suicide Prevention Lifeline to student ID cards, as well as appropriate telephone and text numbers for other hotlines.

Budget Update

SCDMH presented its FY 2022 Budget Request to the Governor's Office/Executive Budget Office 10/28/2020, to the House Ways & Means Healthcare Subcommittee 1/27/2021, to the Senate Finance Healthcare Subcommittee March 3, 2021, and a second presentation to the House Ways & Means Healthcare Subcommittee 5/24/21.

SCDMH revised its budget request to include funds for additional state nursing homes January 27, 2021 and to adjust the recurring dollar amount for state veterans nursing homes April 15, 2021.

The approved FY 2022 budget for SCDMH includes over \$22 million in recurring funding for forensics, nursing homes, and workforce. The Agency is also set to receive over \$62 million in one-time funds for new programs, critical deferred maintenance, and the state match for two new nursing homes, in Sumter and Horry counties. The General Appropriations Act also provides for a 2.5% general base pay increase (GI) for FTE (permanent) positions, effective the first pay date on or after July 1, 2021.

The table on the following page shows the revised budget request side-by-side with recommendations from the Governor's Office, the House of Representatives, the Senate, the *amended* House Ways & Means recommendation, and the final appropriation for the new fiscal year.

SCDMH FY22 BUDGET REQUEST	SCDMH Request	Governor's Rec.	House Rec.	Senate Rec.	House W&M Amended	Final Appropriation
RECURRING						
Forensic Services	\$3,698,874	-	-	\$3,700,000	\$3,700,000	\$ 3,700,000
Sexually Violent Predator Treatment Program	\$3,550,731	\$2,000,000	-	-	-	-
State Veterans Nursing Homes	\$17,737,336	\$5,000,000	-	-	\$14,037,336	\$14,037,336
Sustainability of Workforce	-	-	-	\$7,982,500	-	\$ 4,360,000
TOTAL RECURRING	\$23,286,941	\$7,000,000	-	\$11,682,500	\$17,737,336	\$22,097,336
NON-RECURRING						
School Mental Health \$1,500 Signing Bonus	-	\$600,000	-	-	-	-
Inpatient Services	-	-	-	-	\$2,000,000	\$2,000,000
Alternative Transportation Program	-	-	-	-	\$1,000,000	\$1,000,000
Detention Center Telepsychiatry Team	-	-	-	-	\$843,000	\$843,000
Detention Center Medication Fund	-	-	-	-	\$1,000,000	\$1,000,000
Crisis Stabilization Unit Pilot – Midlands	-	-	-	-	\$1,200,000	\$1,200,000
MIRCI	-	-	-	\$250,000	\$250,000	\$250,000
TOTAL NON-RECURRING	-	\$600,000	-	\$250,000	\$6,293,000	\$6,293,000
CAPITAL						
Certification of State Match (Additional VA Nursing Homes)	\$49,788,352	-	\$27,000,000	\$49,788,352	\$49,788,352	\$49,788,352
Coastal-Empire HVAC, Sprinkler System, Fire Alarm & Roof	\$1,600,000	-	-	\$1,600,000	\$1	\$1,600,000
Crafts-Farrow Campus Electrical Distribution System	\$1,200,000	-	-	\$1,200,000	\$1	\$1,200,000
Harris Hospital Renovations (Anti-ligature)	\$6,005,645	-	-	\$1	\$2,310,001	\$2,310,000
Gaffney Building Purchase & Renovations	\$985,000	-	-	-	-	-
Crafts-Farrow Grease Trap Interceptor	\$388,000	-	-	-	-	-
Campbell Nursing Home Refrigerator & Freezer Replacement	\$100,000	-	-	-	-	-
Waccamaw CMH HVAC, Sprinkler System, Fire Alarm & Roof	\$1,600,000	-	-	\$1,600,000	\$1	\$1,600,000
Crafts-Farrow Fisher Auditorium & Library Demolition	\$250,000	-	-	-	-	-
Bryan Chilled Water Loop Branch Line Replacement	\$500,000	-	-	-	-	-
Crafts-Farrow Water Booster Pump Generator	\$155,000	-	-	-	-	-
Morris Village Sidewalks and Drainage	\$245,000	-	-	-	-	-
Bryan Energy Center Drainage	\$150,000	-	-	-	-	-
Roddey Phased Water Piping Replacement	\$202,000	-	-	-	-	-
Pee Dee MHC Boiler and Chiller Replacement	\$600,000	-	-	-	-	-
Aiken-Barnwell MHC HVAC Replacement	\$350,000	-	-	-	-	-
Anderson-Oconee-Pickens MHC Construction	\$12,430,000	-	-	-	-	-
Catawba MHC Construction	\$12,430,000	-	-	-	-	-

CAPITAL, cont.	SCDMH Request	Governor's Rec.	House Rec.	Senate Rec.	House W&M Amended	Final Appropriation
Campbell Veterans Nursing Home Renovations	\$3,940,000	-	-	-	-	-
Roddey Nursing Home Floor Replacement	\$1,000,000	-	-	-	-	-
Morris Village Nursing Station Renovations	\$450,000	-	-	-	-	-
Morris Village Infirmary	\$750,000	-	-	-	-	-
TOTAL CAPITAL	\$95,118,997	-	\$27,000,000	\$54,188,353	\$52,098,356	\$56,498,352
GRAND TOTAL REQUEST	\$118,405,938	\$7,600,000	\$27,000,000	\$66,120,853	\$76,128,692	\$84,888,688
Transfer Alzheimer's Funding to Department on Aging	(\$778,706)	(\$778,706)	-	-	-	-
Other Funds Authorization	\$36,000,000	\$36,000,000	\$36,000,000	\$36,000,000	\$36,000,000	\$36,000,000

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